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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/014,232	12/11/2001	Vickram Vathulya	US010643	3114

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EXAMINER

CHANG, YEAN HSI

ART UNIT PAPER NUMBER

2835

DATE MAILED: 06/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/014,232

Applicant(s)

VATHULYA, VICKRAM

Examiner

Yean-Hsi Chang

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 139).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 May 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16-18 is/are allowed.
- 6) ☒ Claim(s) 1-8, 10 and 12-15 is/are rejected.
- 7) ☒ Claim(s) 9 and 11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-4, 7-8, 10 and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Lai et al. (US 2003/0095375 A1).

Lai teaches an apparatus for supporting a keyboard, comprising:

- A frame member (frame of 20, fig. 2) having an upper end (near 23, fig. 2) and a lower end (near 24, fig. 2), being C-shaped (inherently C-shaped cross-section with the keypad removed, fig. 2) (claims 1 and 3)
- Means (12, fig. 3) for attaching the upper end of the frame member to a monitor (11, fig. 2) such that the lower end of the frame member extends from a lower portion of the monitor outward and away from a front surface (not numbered) of the monitor to support a keyboard (shown in fig. 2, not numbered); wherein the lower end of the frame member is configured to

provide the keyboard in both a first position (shown in fig. 5) and a second position (shown in fig. 3) (claims 1-2 and 4)

- wherein the attaching means further comprises means (21 and 132, fig. 2) for rotatably attaching the frame member to the monitor to facilitate changing an angle of the keyboard with respect to the user when the keyboard is in the first position (claim 7)
- Wherein the frame member comprises at least one elongated tubular member (23, fig. 2) (claim 8)
- Wherein the keyboard is supported in a location adjacent to the monitor (shown in figs. 3 and 5) (claim 10)
- Wherein the frame member is retractable to support the keyboard in a position above a surface of a desktop (inherent, desk not shown) (claim 12)

3. Claims 13-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Lai et al.

Lai teaches an apparatus for supporting a keyboard, comprising:

- A display screen housing (housing for 11, fig. 2; not numbered) having a front surface (11, fig. 2) and a back surface (shown in fig. 4, not numbered) (claim 13)
- A support frame (12, fig. 3) attached to a rear portion of the display screen housing for supporting the display screen housing at a distance above a desktop (desktop not shown), wherein the back surface of the display screen

housing and the support frame define a channel (13, fig. 10) therebetween, having a width being greater than a thickness of the keyboard (claims 13 and 15)

- Means for supporting the keyboard approximately in line with the back surface of the display screen housing and at least partially within the channel formed by the display screen housing and the support frame (shown in figs. 9-11) (claim 13)
- Means (21, fig. 2) for removably attaching the keyboard to the monitor (claim 14)

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lai et al. in view of Kuchta et al. (US 6,208,505 B1).

Lai discloses the claimed invention except the apparatus further comprising a tray attached to the lower end of the frame member for supporting the keyboard (claim 5), and the frame member is configured to be selectively positioned at an ergonomic angle (claim 6).

Kuckta teaches an apparatus (10, fig. 2) comprising a tray (16, figs. 1 and 2) attached to a lower end of a frame member (12+18+16, fig. 2) for supporting the keyboard, and being configured to be selectively positioned at an ergonomic angle (see col. 2, lines 33-39).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Lai with the frame member taught by Kuckta for supporting the keyboard and being able to be positioned at an ergonomic angle.

Allowable Subject Matter

6. Claims 16-18 are allowed.

7. Claims 9 and 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

The best prior art of record, Lai et al. (US 2003/0095375 A1), Kuchta et al. (US 6,208,505 B1) and Vong et al. (US 6,480,372 B1), taken alone or in combination, fails to teach or fairly suggest an apparatus for supporting a keyboard to a monitor, wherein the keyboard is split along a longitudinal axis to allow the keyboard to fold along the longitudinal axis as set forth in claims 9 and 16-18; and comprising a frame member having an upper end and a lower end, and a ramp attached to a frame member between the upper end and the lower end, wherein the ramp is configured to slidably

reposition the keyboard between the first position and the second position as set forth in claim 11.

Response to Arguments

8. Applicant's arguments with respect to claims 1-8 and 10-12 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Correspondence

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yean-Hsi Chang whose telephone number is (703) 306-5798. The examiner can normally be reached on 07:30-16:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on (703) 308-4815. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3431 for regular communications and for After Final communications. There are RightFAX numbers and provide the fax sender with an auto-reply fax verifying receipt by the USPTO: Before-Final (703-872-9318) and After-Final (703-872-9319).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 305-8558.

Yean-Hsi Chang
Patent Examiner
Art Unit: 2835
May 31, 2003


DARREN SCHUBERG
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